



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,573	01/10/2001	Kendyl A. Roman	119892-165657	9422
60172	7590	05/12/2009		
SCHWABE, WILLIAMSON & WYATT, P.C.				
1420 FIFTH, SUITE 3010				
SEATTLE, WA 98101				
EXAMINER				
NGUYEN, HAU H				
ART UNIT		PAPER NUMBER		
2628				
MAIL DATE		DELIVERY MODE		
05/12/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/758,573

**Applicant(s)**

ROMAN, KENDYL A.

**Examiner**

HAU H. NGUYEN

**Art Unit**

2628

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 11, 16-20 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11, 16-20, 22-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

### DETAILED ACTION

The response filed on 2/23/2009 has been fully considered in preparing for this Office Action.

#### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 11, 16-20, 22, 23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flurry (U.S. Patent No. 5,684,968) in view of McKenny (U.S. Patent No. 6,230,241).

As per claim 1, Flurry teaches a method of increasing image processing performance comprising:  
copying image data of an image existing in an I/O RAM into an extra second copy of said image data in a buffer in main memory (col. 2, line 64 to col. 3, line 12, and also Fig. 14), performing CPU intensive operations on the extra second copy of the image data in main memory and not on the image data in said I/O RAM (Fig. 15, steps 1530-1540).

Flurry fails to teach the copying step making multiple calls to a memory copy function copying each image line of the image to a buffer line of the buffer; and after performing said CPU intensive operations, copying the operated on image data from the buffer in main memory to the I/O RAM, by multiple calls to the memory copy function copying each buffer line of the buffer to an image line. However, this is what McKenny teaches. McKenny teaches a method of copying data from an I/O memory to another memory for the CPU to perform extensive

operation as shown in Figs. 1-3, and the copying is performed by copying line by line (see col., lines 15-66, it should be noted that the address lines A, A + 1, A + 2, etc. are considered as image lines when combined with the teachings of Flurry).

Therefore, it would have been obvious to one skilled in the art to utilize the method as taught by McKenny in combination with the method as taught by Flurry in order to access data with high speed (col. 3, lines 51-64).

As per claim 2, Flurry teaches said main memory is cached (*in, for example, the image list 410 of the main memory*).

As per claims 3 and 4, although not taught by Flurry, McKenny teaches the main memory is cached in a CPU cache/in an external cache (see Fig. 1).

As per claim 5, although not taught by Flurry, McKenny teaches said copying comprising using DMA circuitry (106, Fig. 1, col. 5, lines 20-25). Therefore, it would have been obvious to one skilled in the art to utilize the method as taught by McKenny in combination with the method as taught by Flurry in order to speed up data transfer.

As per claim 11, Flurry teaches said I/O RAM is associated with a video digitizer (col. 5, lines 45-55).

Therefore, it would have been obvious to one skilled in the art to utilize the method as taught by Flurry in combination with the method as taught by Flurry in order to perform the format conversion of the image for the CPU to process.

Claim 16, which is similar in scope to claim 1 as addressed above, is thus rejected under the same rationale.

As per claim 17, Flurry teaches said I/O device is a means for inputting an image (such as video input 151, Fig. 1).

As per claim 18, Flurry teaches said I/O device is a means for outputting an image (150, Fig. 1).

As per claims 19 and 20, Flurry teaches the applications includes compressing and decompressing (col. 2, lines 44-61), and enhance said image data (col. 2, lines 32-40).

Claim 22, which is similar in scope to claim 1 as addressed above, is thus rejected under the same rationale.

As per 23 and 25, which are similar in scope to claims 19-20 as addressed above, are thus rejected under the same rationale.

3. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Flurry (U.S. 5,684,968), in view of McKenny (U.S. Patent No. 6,230,241), and further in view of Cullen et al (6,592,629 hereinafter "Cullen").

As per claim 24, the combined Flurry-McKenny fails to explicitly teach said processor executes programs to encrypt/decrypt said image data. These are what Cullen teaches. Cullen teaches remote document image storage and retrieval system for a multifunctional peripheral comprising a workstation (630) and a multifunction machine (140) includes a compress/decompress (252), an encrypt (253) and decrypt (254). It would have been obvious to one of ordinary skill in the art at the time the present invention was made to combine the teachings of Cullen into the combined system of the combined Flurry and McKenny in order to

reduce overall storage space and provide fast and secure transmitted over the bus or network as taught by Cullen (col. 5, lines 16-63).

***Response to Arguments***

Applicant's arguments with respect to all the claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hau H. Nguyen whose telephone number is: 571-272-7787. The examiner can normally be reached on MON-FRI from 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794.

The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Hau H Nguyen/

Primary Examiner, Art Unit 2628